

REMARKS

The indication that claims 5-8, 11, 14-16 and 18-19 have been allowed is acknowledged with thanks.

Claims 1-4, 9-10, 12-13 and 17 were rejected as unpatentable over FR 2 731 496 A1 (FR '496). Reconsideration and withdrawal of the rejection are respectfully requested.

Among other features, these claims provide that the backs of the trunking sections are substantially plane rear faces and are adapted to bear against the support surface, that the rear tongue has thickness of about 0.2 mm to about 1 mm, and that the rear tongue is accommodated rearwardly beyond the substantially plane rear face.

The Official Action takes the position that these limitations are either met by FR '496 or are obvious. The Official Action asserts that the backs of the trunking sections 10 are substantially plane rear faces and are adapted to bear against the support surface. By way of support for this assertion, the Official Action explains that the inside faces of recesses 14 are part of the substantially plane rear face and, in view of this interpretation, that the rear tongues are accommodated rearwardly beyond at least these portions of the substantially plane rear face.

However, it is not believed that this interpretation is correct. The substantially plane rear face is defined in the claim as being adapted to bear against the support surface. The inside face of the recess 14 is not adapted to bear against the support surface, and indeed cannot bear against the support surface, because it is inside the recess. Thus, the inside of the recess 14 cannot be considered part of the substantially plane rear face beyond which the rear tongue is accommodated, and the reference thereby lacks any suggestion, motivation, reason or teaching to accommodate a rear tongue rearwardly beyond a substantially plane rear face that is adapted to bear against the support surface.

These claims also provide that the rear tongue has thickness of about 0.2 mm to about 1 mm. The Official Action indicates that the selection of a thickness is a design consideration and that one of skill in the art would be motivated to reduce thickness to cut cost and weight.

Applicant is aware that in practice, the thickness of the tongue 25 in the device of FR '496 is about 2 mm. In contrast to the assertion in the Official Action, the reduction of thickness to the claimed range would have an insignificant impact on cost and weight; the cost to retool would likely far exceed any cost or weight benefit. Further, when one considers

FR '496 for what it teaches in its entirety, it is clear that the tongue 25 is accommodated in a recess 14. Reducing the thickness of the tongue 25 would also entail changes to the recess 14 so as to ensure a proper, snug fit. This change would require retooling for the trunk member and add further costs. In addition, one of skill in the art would know that decreasing the thickness of the tongue would also increase the fragility of the tongue, making damage more likely. FR '496 has recesses to accommodate the tongues and thus avoids the need to make the tongues thin. The only reason to make the tongues the claimed thickness is to allow them to be accommodated rearwardly of the substantially plane rear face of the trunk, as claimed. There is simply no motivation to make the tongues as thin as claimed in the device in FR '496 that includes recesses to accommodate the tongues.

The cost advantage of the present invention is achieved by not making the recesses that accommodate the tongues. This cost advantage will be recognized by those of skill in the art regardless of whether it is foretold in the application (applicant is permitted to rely on advantages that are not explicitly set forth in the specification). In any event, see page 8, lines 16-19, where applicant points out that one of the advantages of the invention is that the connecting device can be

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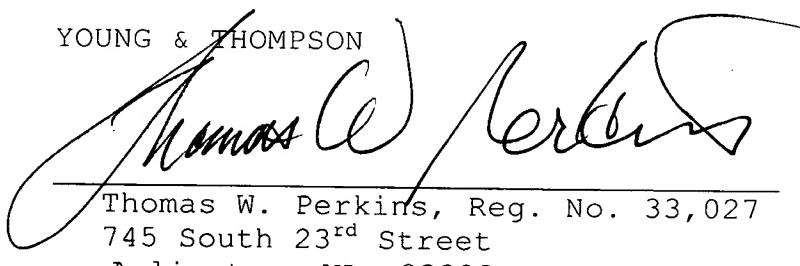
used with existing trunks that do not have recess to accommodate the tongue.

In view of the foregoing remarks, it is believed that the present application is in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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